

FILED
Clerk
District Court

FEB 11 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Eric John Tudela Mafnas
Reg, No. 00438-005
FCI Safford
P.O. Box 9000
Safford, AZ 85548

Pro Se

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NORTHERN MARIANA ISLANDS

United States of America,)
Respondent,)
v.)
Eric John Tudela Mafnas,)
Petitioner.)

CV 08 - 0009
Case No. CR-04-0038-001

Dear Honorable of the Court.

This is a motion the the court requesting the Honorable of this court to order, Attorney at Law Stephanie G. Flores and Victorino Torres, of the Torres Brohters law firm at P.O. Box 501856, Saipan, M.P. 96950., to turn over to petitioner a copy of their Work Product Folders and any materials pertaining to movants case.


Please notice that on about December 26, 2007, I sent a letter to the Torres Brothers law firm trying to locate Ms. Flores and Victorino Torres. Both of the attorney's has failed to respond to the letter that I've attach to this motion. Stephanie and Victorino were the attorney's that I retained for the above case, In which they were part of the Torres Brother law firm.

1 Before jury selection, I requested for Stephanie G. Flores to
2 dismiss her self from my case. However, at this time Stephanie
3 has not been able to be located due to reason unknown. It would be
4 helpful if you could have the Torres Brothers law firm locate her
5 and have the both of them to turn over their Work Product Folders,
6 and any materials that they have in there possession. I am in the
7 process of filing a \$2255 motion and would^{like} to raise the issue of
8 ineffective assistance of counsel. It would be unjust to leave me
9 without the materials that I need to prepare my appeal.

10 The proceeding of my \$2255, is a critical step of my due process
11 and it would be helpful if this court assist me in locating
12 Ms.Flores and Victorino Torres and have them turn over all
13 information pertaining to my case.

14 Your assistance of any type of assistance in this matter is
15 greatfully appreciated.

16 Thank you.

17 

18 Eric Mafnas Reg,.No.00438-005
19 FCI Safford
20 P.O. Box 9000
21 Safford,AZ 85548
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I have served an accurate copy of the attached Motion to the court requesting order to attorney to turn over work product folder, Discovery and Materials to petitioner's case

upon the following party (ies):

To the clerk of the court

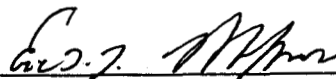
District court for the N.M.I.

P.O. Box 500687

Saipan, M.P. 96950

postage prepaid, by placing same in the Bureau of Prisons' mailing system, on the date set forth below.

DATED: January 31, 2008
Safford, Arizona



Eric John Tudela Mafnas
Reg, No. 00438-005
FCI Safford
P.O. Box 9000
Safford, AZ 85548

Mr. Eric Mafnas
Reg. No. 00483-005
FCI Safford
P.O. Box 9000
Safford, AZ. 85548

December 26, 2007

Attention: Torres Brothers Law firm.
Attorney Victorino Torres
P.O. Box 501856 CK
Saipan, M.P. 96950

Case No. 04-038

Dear Mr. Victorino Torres, Please be advise that I am in the process of filing a \$2255 motion to vacate my conviction. However, I am not able to file this motion due to the lack of materials such a my Transcripts, Discovery and a copy of your Work Product Folder.

I would like for you to turn over all these materials soon as possible. I am also requesting that you provide me with the new location of Stephanie Flores. I am not able to locate her at this time due to my incarceration. So if you could please sent me her address it would be helpful to me.

I was dissatisfied with the job stephanie had done in my case. The ABA criminal justice standards provide that an attorney work under professional standards, and Stephanie has failed to communicate with me during my trial and during sentencing which constitutes unreasonable conduct under prevailing standards.

I would also like for you to send me an written affidavit as to why the judge in my case refuse to dismiss you and Stephanie from my case. This would help me in my case under the grounds of ineffective of counsel. This would also help under the Sixth and the Fifth Amendment violation that had accord in my case.

I really look forward to hearing from you and Stephanie Soon. Thank you!

Sincerely


Eric Mafnas No. 00483-005